

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
DMITRIY SHIROKOV, on behalf of himself)	
and all others similarly situated)	
)	
Plaintiff,)	
v.)	Case: 1:10-cv-12043-GAO
)	
DUNLAP, GRUBB & WEAVER, PLLC; US)	
COPYRIGHT GROUP; THOMAS DUNLAP;)	
NICHOLAS KURTZ; GUARDALEY, LIMITED;)	
and ACHTE/NEUNTE Boll Kino)	
Beteiligungs Gmbh & Co KG,)	
)	
Defendants.)	
_____)	

**DEFENDANTS DUNLAP, GRUBB & WEAVER, PLLC, THOMAS DUNLAP, AND
NICHOLAS KURTZ’S MOTION FOR LEAVE TO FILE MEMORANDUM OF LAW IN
SUPPORT OF MOTION TO DISMISS IN EXCESS OF TWENTY PAGES**

Defendants Dunlap, Grubb & Weaver, PLLC, Thomas Dunlap, and Nicholas Kurtz (“the defendant attorneys”) respectfully submit motion for leave to file a memorandum of law in support of their motion to dismiss for failure to state a claim pursuant to F.R.Civ. P. 12(b)(6) in excess of the twenty page limit provided for at Local Rule 7.1(b)(4). As grounds therefor, the defendants state that the plaintiff has filed a complex and extremely lengthy complaint, consisting of ninety six pages, 456 paragraphs, and twenty five separate counts. The twenty five counts of the complaint assert claims under state and federal law, including allegations of RICO violations against the defendant attorneys. The plaintiff’s complaint also asserts putative class claims, and asserts on information and belief that the putative class’s damages will exceed \$5,000,000 in aggregate. Given the breadth of the complaint, the complexity of the issues raised, the numerous arguments in favor of dismissal that are available to the defendant attorneys, and

the amount of damages purportedly sought, the defendant attorneys respectfully request leave to file a memorandum of law of thirty-one pages.

The Defendants,
Dunlap, Grubb & Weaver, PLLC,
Thomas Dunlap, and Nicholas Kurtz
By their counsel,

/s/ Kara Thorvaldsen
George C. Rockas BBO# 544009
Kara Thorvaldsen BBO# 660723
WILSON ELSE MOSKOWITZ
EDELMAN & DICKER LLP
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(617) 422-5300

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

The undersigned counsel hereby certifies that on Tuesday, January 25, 2011, I attempted to resolve or narrow the issues addressed in this motion by contacting plaintiff's counsel, Dan Booth, by telephone. I left a voicemail for him, but did not receive a response prior to filing the foregoing motion.

/s/ Kara Thorvaldsen

Certificate Of Service

I, Kara Thorvaldsen, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). I am not aware of any party who is a non registered participant, and therefore electronic filing is the sole means of service of this document.

/s/ Kara Thorvaldsen